

TRAIN ARRIVALS

No. 1—7.45 p. m.
No. 4—5.50 p. m.
No. 7—10.55 p. m.
No. 8—6.40 p. m.
No. 9—11.45 p. m.

ALBUQUERQUE CITIZEN

"WE GET THE NEWS FIRST"

VOLUME 24.

ALBUQUERQUE, NEW MEXICO, SATURDAY, MARCH 20, 1909.

WEATHER FORECAST

Denver, Colo., March 20—Tonight fair and warmer north portion. Sunday fair and warmer.

NUMBER 58

HARDEST WORKING LEGISLATURE ASSEMBLED IN MANY YEARS

Lawmakers Just Adjourned at Santa Fe Kept Things Going From the Time They Started Until the End and as a Result of Their Activity Many Good Bills Were Enacted for the Good of the Territory.

MANY RECORDS WERE BROKEN DURING THE SESSION CHIEF AMONG WHICH WAS RECORD FOR ORATORY

The Session Developed Some Promising Material for Statesmen and Orators—Freakish Bills Were Quickly Killed and Several Laws Urged by the Governor Failed of Passage in the Council Though Lower House Passed Them. Sessions Notable in Many Ways. Chiefly for Economy and Strict Attention to Business.

Santa Fe, N. M., March 20.—The 1909 session of the New Mexico legislature is over. Most of the members departed for their homes yesterday afternoon and last night, while a few will remain over Sunday to visit friends and to confer with Governor Curry regarding conditions in their respective counties.

The session just passed has been a notable one in that it witnessed the hardest fight on several bills. New Mexico has seen in many years. Included in these bills were the local option liquor measures, a bill providing for the publishing of the revised statutes, and the railroad commission bill. For the past three weeks the House wrestled with these last three measures and during the closing days passed each one. But when the bills reached the Council, they were killed. While the governor and party leaders used every effort to get the bills through the legislature, the work was of no avail and the measures were allowed to die in committee.

The bickering between the House and the Council which prevailed more or less during the entire session ended a few days before adjournment in a compromise. The Council had a little of the best of it, but the House was given satisfaction on the main point of its contention, as the appropriation bill passed almost as originally presented in the lower body. The Council had a habit of amending almost every House bill sent to it for concurrence and this became so chronic that trouble of such a nature as to block or defeat important legislation, came near taking place. But the House finally caught on to the Council's game and returned it for ratification of reconstructing or amending Council bills sent to it for passage.

The thirty-eighth assembly broke a few records. The long distance and multiple talk records were shattered. In spite of the differences existing between members of House at various times during the session, and which became acute two days before final adjournment, all got together the remaining two days and worked in harmony in an effort to clean up the calendar. As chairman of the committee on judiciary, easily the most important one, and as a member of other committees, Representative C. J. Roberts of Colfax county, especially did effective work all during the session. But Roberts' greatest work was done during the last week, when as chairman of the all important steering committee, he made possible the passage of a great many important bills, which but for his labors and the labors of other members of the committee would have gone astray or gotten lost in the shuffle. In Mr. Roberts not only the people of Colfax county, but those of the whole territory, had a conscientious and hardworking representative. But it would not be just to stop here.

In summing up it might well be said that Roberts of Colfax on the Republican side, and Brice of Eddy for the Democrats were the two biggest men developed by this session of the legislature. Roberts is a fighter, quick witted, able and broad-minded. Brice, while of a quiet demeanor, is a keen lawyer and what he lacked in oratory he made up in work.

Julian Chaves of Sierra county was the House fun maker. He is an unconscious humorist, and never failed to arouse laughter when he called upon the speaker to find out what he was voting on. He also was the father of many bills, some freakish in their nature, which with some exceptions, were allowed to die natural deaths. As father of the bill to change the county seat of Sierra from Hillsboro to Custer, Chaves stirred up a hornet's nest, but he pacified his angry constituents by introducing and passing a substitute measure, which places the question in the hands of the voters of the county a year hence.

Among those members conspicuous by their silence, yet who were always on the job with both feet where there

was anything of importance to be disposed of might be mentioned Sweeney of San Miguel, one of the most popular members of the House; Stackhouse, Garcia, Gallegos and Moffett.

In the Council.
If all could be told about the Council it would make interesting reading for the people of the territory. Suffice it is to say that the majority, organized for business early in the session, and this alliance withstood all attacks like the rock of Gibraltar. It mustered eight votes most of the time and sometimes nine. The minority, Hewitt, McElbee and Upton refused to be coaxed into any deals with it, and Prince, Republican member from Rio Arriba and San Juan counties, asserted his independence on more than one occasion and held out on various measures, voting with the minority. It was early apparent that no legislation against the railroads, liquor interests or the printing of the revised statutes would ever be enacted by the Council.

Although the House heeded Governor Curry's request for the creation of a railroad commission, the passage of a local option bill and to provide for the printing of the territorial statutes as revised by the law revision commission created two years ago by the 27th assembly, the Council ignored the governor in this respect and stood pat.

The frequent spirited debates between the two legislative grizzlies, Catron and Prince, furnished perhaps the only excitement of the Council sessions, while the suave manner in which President Sweeney presided over the destinies of the upper body was a feature. Mr. McElbee was a valuable member, but sickness unfortunately kept him away a greater part of the session.

Hermilillo county could not have sent a harder worker than Hanley to represent them. As chairman of the finance committee he was kept busy all the time and his record was clean. On the other hand San Miguel's county interests were safeguarded, in which President Sweeney presided over the destinies of the upper body was a feature. Mr. McElbee was a valuable member, but sickness unfortunately kept him away a greater part of the session.

General Summing Up.
Taken all in all the past legislature was above the ordinary. The legislation enacted was both constructive and progressive. And for this the lawmakers are entitled to great credit, but at the same time the people should not forget that Governor Curry also played a most important part in the deliberations of both bodies and that his suggestions and counsel were always taken into consideration on important measures proposed. One of the most important laws enacted, that creating a territorial conservation commission, was proposed and urged by New Mexico's hardworking and conscientious executive. Among other measures that should be mentioned as important also the good roads commission bill, the Roberts' election law, putting the election system heretofore complicated and antiquated on an up-to-date basis; new territorial land laws; new educational measures; new insurance code; new publication law; new game and fish law; law for the cooperation with the United States geological survey in stream measurements in the territory; the indeterminate sentence and patrol law.

Three new territorial institutions were created: The New Mexico Museum and Archaeological school at Santa Fe; a Spanish-American Normal school at El Rito and a reform school at Springer.

The national guard system is to be put on an equal basis with the syn-

tems in the states and this department of the territorial government under Adjutant General R. A. Ford is going to be graded up to the highest standard and will not be a nonentity as it has been heretofore generally speaking.

Legislature Not Stingy.
The legislature was not stingy and while it looked for a time as though the stand taken for economy, especially by the House, might result disastrously to several of the higher educational institutions as well as to several of the departments, the provisions of the general appropriation bill, and its rider the deficiency bill, proved this alarm on the part of some to be unwarranted. The two bills carry about \$600,000, which will not increase the territorial tax levy. All the institutions both educational charitable and penal were liberally provided for and in some instances substantial increases were made. In addition \$5,000 was appropriated for a dry farming station in Quay county on some school section yet to be selected and \$5,000 more was appropriated to assist in straightening the course of the Rio Cimarron river at Osom, Union county.

Territorial Institutions.
The following appropriations were made for other institutions and territorial departments:
New Mexico College of Agriculture, \$16,000.
School of Mines, \$19,000.
Normal school at Silver City, heating plant, \$2,500.
Normal school at Las Vegas, \$20,400.
Military institute, at Roswell, \$17,600.

In addition to this appropriation in the last half hour of the session a bill prepared by Mr. Brice was passed and signed by the governor appropriating \$3,400 additional for this institution.
Insane asylum, Las Vegas, \$60,000.
Miners' hospital, Raton, \$10,000.
Institute for the blind, Alamogordo, \$10,000.
Deaf and dumb asylum, \$10,000.
Spanish-American Normal school at El Rito, \$4,500.

Orphan's school, Santa Fe, \$10,000.
Children's Home Society, \$5,000.
It is understood that this appropriation is made for the purpose of providing a receiving home and is not an appropriation for maintenance and it is especially understood that this society shall at no time in the future call upon the territory for any further appropriations of any kind.
Penitentiary and convicts, \$45,000.
Capitol and executive mansion \$18,294.
Territorial library, \$2,700.
St. Vincent's hospital Santa Fe, \$3,600.
St. Joseph's hospital, Albuquerque, \$2,400.
Gallup hospital, \$2,000.
St. Mary's hospital, Roswell, \$1,500.
Sisters of Loretto at Mora, \$10,000.
Sisters of Loretto at Las Cruces, \$1,000.
Grant county hospital, Silver City, \$1,800.
Sisters of Mercy hospital, Silver City, \$1,800.
Ladies' hospital, at Deming, \$1,800.
Eddy county hospital at Carlsbad, \$1,800.
Relief society, at Las Vegas, \$3,000.
For administrative purposes the following appropriations are made:
Territorial engineer, \$8,200.
Fish and game warden, \$2,300.
Superintendent of insurance \$4,400.
Mounted police \$17,000.
Militia, \$15,850.
District attorneys, \$6,200.
Attorney general's office including salaries, \$7,300.
Department of education, \$13,250.
Scholarships in territorial institutions, \$7,200.
New Mexico museum and school of archaeology \$8,000.
Secretary of the territory, \$1,500.
Territorial auditor, \$5,100.
Territorial treasurer \$4,900.
Executive office, including contingent expenses, salary of private secretary, etc., \$5,250.
Historical society \$1,000.
Bureau of immigration \$6,500.
Judges of district courts, \$14,000.
United States land commission, \$2,700.
Clerks of district courts, \$22,400.
Supreme court, \$3,100.
Board of equalization, \$1,400.
Traveling auditor and bank examiner, \$6,800.
Transportation of convicts \$6,000.
Insurance on capitol building and governor's mansion, \$2,850.
For an experimental dry farm, \$5,000.

To mark the Santa Fe trail in New Mexico, \$600.
There is a long list of deficiencies included as part of the general appropriation bill, which are to be provided for by certificates of indebtedness and which will run the total of the bill close to \$600,000. The principal items of these deficiencies are:
For the penitentiary, \$16,657.
For payment of United States land office claims, allowed through the commissioner of public lands, \$5,000.
Deficiency, New Mexico school of mines, \$4,500.
Deficiency, for land extension of the capitol grounds, \$2,500.
Deficiency, for the University of New Mexico, \$22,625.
Deficiency territorial armories, \$28,000.
Deficiency, capitol extension and executive mansion, \$22,000.
These are the principal items of the bill. There are a large number of miscellaneous deficiencies all for small amounts but which considerably increase the total of the bill.

TAFT BACK IN CAPITAL.
Washington, March 20.—President Taft arrived at Washington from New Haven this morning, and was immediately driven to the White House in the Taft automobile.

SECOND DEGREE MURDER AND TWENTY YEARS FOR COOPERS
Jury Finally Agrees on Verdict in Famous Cooper Case at Nashville.
Nashville, Tenn., March 20.—After being out since Tuesday night, the jury in the Cooper-Sharp murder case this morning brought in a verdict finding Colonel Duncan Cooper and his son, Robin Cooper, guilty of murder in the second degree and fixing the penalty at twenty years imprisonment. The Coopers were tried for the murder of former Senator Carmack. Judge Hart fixed their bonds at \$20,000 pending an appeal.

The jury yesterday acquitted John D. Sharp, a co-defendant. The defense immediately moved to set aside the verdict because of the verdict of disagreement yesterday and to have the court declare it a mistrial. Judge Hart said that he would listen to arguments on this later.

The verdict, coming as it did upon the heels of Foreman Burke's declaration yesterday that "we are hopelessly tied up as to the Coopers," was a decided surprise.
The first jurors were not inclined to talk but one of them said that on the first ballot John Sharp was acquitted and the conspiracy theory was disregarded. This same ballot stood six for guilty of murder in the first degree with mitigating circumstances, five for murder in the second degree with imprisonment of twenty years, the maximum penalty, and one for acquittal.

The ballot box all Wednesday and Thursday showed this result, but yesterday one of the jurors who voted for acquittal went over to a verdict of second degree murder, but demanded that only ten years imprisonment be set. Early this morning he agreed to twenty years and the six voting for first degree murder agreed to the second degree verdict with the maximum penalty assessed.
The defendants took the verdict coolly, almost without emotion. Mrs. Murch and Mrs. Wilson, two young daughters of Colonel Cooper, were brave and aside from tearful eyes, restrained their emotions. The jurors were tired looking, disheveled and the court dismissed them the entire twelve sprang from their seats as one man and hurriedly left the court room.

FATHER BREAKS DOWN UNDER AWFUL STRAIN
Parent of Kidnaped Boy Says He Is Willing to Pay Ransom and All He Wants is His Child Returned to Him.
Sharon, Pa., March 20.—Sobbing and crying, James J. Whitt, father of the kidnaped boy, broke down today when no word was received from the abductors and in a statement to the Associated Press said he wanted to impress on every one interested in the recovery of the boy that all he wanted was to see his child safe back home. He said he is ready to pay the \$10,000 ransom any time and had authorized agents to pay over the money. Although every day is being run down, nothing has developed to give the searchers the slightest ray of hope.

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THE DEFENSE WOULD CALL IT MISTRIAL

Because of Statement by Foreman of Jury Yesterday—Coopers Take Verdict Without Emotion.

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SHOWS TOTAL OF COTTON.
Washington, March 20.—Running bales of cotton numbering 13,408,841, of the average gross weight of 505.8 pounds, all equivalent to 43,583,942, 500 pound bales with 27,587 ginneries operating, was the final report of the census bureau today on cotton grown in 1908.

GOVERNOR PARCONS TWO FROM PRISON

They Are the Last of a Band of Four That Murdered a Chinaman 12 Years Ago.

Santa Fe, N. M., March 20.—Governor Curry today pardoned two prisoners serving life terms in the territorial penitentiary. Jesus Martinez and Jose D. Garcia were the ones to receive clemency at the hands of the executive. The pardon recalls a terrible crime committed twelve years ago in Union county for which they were convicted.

Together with Eligio Arguello and

Raymundo Quintana, they waylaid a Chinaman for the purpose of robbing him. The celestial put up a stiff fight with the result that he was beaten to death with clubs. They were arrested, convicted and sentenced in 1897 to prison for life. All were boys at the time, the oldest being but 15 years old. Governor Otero later commuted the sentence of Quintana to ten years, bringing about his release on December 7, 1907. Arguello was pardoned last Thanksgiving day and the two pardons issued today freed the last of the quartet.

Joseph Wilson, trusty at the territorial penitentiary, who escaped on Thursday night by breaking into the house of Assistant Superintendent Garrett and exchanging his prison garb for a suit of clothes, was captured last night at Glorieta by Demetrio Baca, a ranchman. He was returned to prison today. Wilson confessed to Superintendent Green that he was an escaped convict from the Kansas state prison at Lansing, where he was sent to serve seven years for burglary in 1905. He escaped in 1907. He was sent to the Kansas penitentiary under the name of J. S. Gale. When he completes his term in the New Mexico penitentiary, he will be turned over to the Kansas authorities.

Another escaped convict, John Williams, who took French leave from the territorial penitentiary last January, was captured yesterday at Midland, Texas, and is now on his way back to Santa Fe in charge of an officer. Williams' escape was sensational. He feigned sickness and as a consequence was not compelled to stand in the door of the cell house when the prisoners were checked in at night. He rigged up a dummy and placing this in his bed, hid out, and then made his escape from the prison yard at night by scaling a wall. His ruse fooled the guards completely.

HEROIC ENGINEER GAVE WARNING TO ALL

Sank to His Engine on Runaway Train and Was Instantly Killed When Train Jumped Track.

Como, Colo., March 20.—An ore train on the Colorado and Southern, composed of sixteen loaded cars, got beyond control while going down a steep grade from Boreas Pass last night, jumped the track at a sharp curve while going at the rate of 90 miles an hour. Engineer Bud Schwartz, who stuck to his engine in a heroic effort to stop the train, was instantly killed, his head being almost severed from his body. Other members of the train crew jumped and escaped with minor bruises. So great was the momentum of the train when it left the track that the cars and engine were piled in a heap of scrap iron forty feet from the right of way. When Engineer Schwartz realized the train was beyond control he grasped the whistle cord and all the way down seven miles of steep grade the engine gave out a shrill note of warning. Schwartz went into death with the cord in his hand.

THE BIGAMY CASE WILL BEGIN MONDAY

Two Women and Five Children Are Conspicuous Attendants in Court.

Two women and five children, all dependent for a living on the wages of John Meyers alias John Mause, a carpenter, charged with bigamy, will be conspicuous among the witnesses, who will be called upon to testify at the trial, which will be begun at the Bernalillo county court house Monday morning, unless another continuance should be asked for.
The trial was set for earlier in the week, but the defendants or their attorneys failed to appear and their bonds were forfeited. Meyers was yesterday committed to jail for failing to comply with an order of the court in paying for the support of two little boys and Mrs. Meyers No. 1. Mrs. John Mause, or Rose Well, and her three children reached the city last night and this morning Meyers was let out of jail to see them.
Mrs. Mary Meyers and Mrs. John Mause and their children were at the court house this morning and will be conspicuous at the trial.

Another important witness will be Mrs. Anna Berner, a sister of Meyers, who will testify against her brother. Mrs. Berner was at the court house this morning with Mrs. Meyers, the prosecuting witness. Judge M. E. Donelan, the justice of the peace who married Mary Long and John Meyers at Newport, Ky., March 12, 1908, will be another witness for the prosecution.

THEY KILLED THEIR MAN.

Chilenden, Texas, March 20.—An unidentified man, dead, and Floyd Autrey of Fort Worth, dying here, is the result of a three-cornered fight with revolvers on a Fort Worth and Denver train near Giles, Texas, today. Autrey and his cousin, Fred Garrett of Fort Worth, killed the third participant in the fight and threw the body out of the coach window. Autrey is in a hospital here and Garrett is in custody.

WAR CLOUD EVAPORATES.
Belgrade, March 20.—Alarm over the possibility of war with Serbia and Austria-Hungary, is subsiding rapidly and there is reason to believe a peaceful settlement of the controversy is now only a question of hours.

THREE DEAD AT RATON BECAUSE OF FAMILY TROUBLES

An Italian Killed Cousin and Sister-in-Law and Was Killed by Husband.

USED HIS DAGGER AGAINST REVOLVER

Murderer Fled but Was Pursued and Killed by Husband of the Woman He Shot at Her Own Home.

Santa Fe, N. M., March 20.—Three are dead as the result of a shooting at Raton last night which grew out of a family row. Antonio Julio, an Italian, killed two and was in turn killed by the husband of the woman who fell a victim to his revolver.
Julio met his cousin, Bartole, on the street, pulled a revolver from his pocket and fired twice, one bullet taking effect in the abdomen of his cousin. Bartole ran to the house of his brother, Francisco Bartole, and threw himself face down on a couch.

Mrs. Francisco Bartole ran to him with the intention of aiding him, and Julio, who had followed his victim, shot her through the head. She died instantly.
Then her husband came upon the scene, and picked up a dagger. He chased Julio from the house, caught him as he was running through the yard and stabbed him again and again.

Bartole died later of his injuries.
The family came to Raton about four years ago. The men were employed as coke pullers. There had been bad blood between Bartole and Julio for some time.

MORE BEVERIDGE WORK AGAINST STATEHOOD

Territorial Officials Can't Go to Washington to Ask For Statehood or For Anything Else For Territories.

Washington, D. C., March 20.—Territorial officers in New Mexico, Arizona and other territories will receive a shock in a few days when they receive an official order from the secretary of the interior, Ballinger, informing them that in future they must remain in their territories except in cases of emergency. Secretary Ballinger called at the White House today and the contemplated order received the approval of President Taft. The order intends to put an end to governors and other territorial officials coming to Washington during sessions of Congress, spending many months there lobbying for their measures or for statehood.

PARISIAN TO STARVE AS RESULT OF STRIKE

Provision Dealers Say It Is Becoming Hard Matter to Secure Food From Outside Sources.

Paris, March 20.—Paris faces a prospect of food famine as a result of the strike. Provision dealers declare that if there is no improvement in the situation in a few days the impossibility of forwarding payments will make it difficult to bring in supplies. It is too early to gauge the effect of the endorsement of the attitude of the government voiced in the chamber of deputies yesterday but up on the surface the outlook today is blacker than ever. Leading agitators talked as if the action of the chamber of deputies might fan the flames of the present movement into a veritable revolutionary explosion.

CHARGES OF FRAUD HAVE BEEN DISMISSED

Senator Borah and Other Idaho People Will Not Be Prosecuted for Land Frauds.

Washington, March 20.—Attorney General Wickersham today directed the dismissal as to those persons against whom it is still pending, of an indictment secured by the former United States district attorney of Idaho, Norman E. Tuck, against Senator Borah, members of the Harber lumber company, and others, for conspiring to defraud the United States of certain timber lands in Boise county, Idaho.

LABOR UNION TO FIGHT FOR CONVICTION OF CONTRACTOR

One of the Foremost Lawyers Will Help Prosecute Roswell Property Owner.

DEAD MAN'S BROTHER SUES FOR BIG AMOUNT

Asks Damages From Contractor as Result of Death of His Brother Who Was Shot During Quarrel.

Roswell, N. M., March 20.—Frank Shirley, as administrator of the estate of his brother, Ollie S. Shirley, today brought suit against W. T. Wells, a wealthy contractor and property owner, asking judgment for \$17,000 actual and exemplary damages for the killing of Shirley's brother on March 9. Wells shot Shirley in a dispute over labor troubles and is now under bonds awaiting the action of the grand jury.

It is reported that the American Federation of Labor will have one of the foremost lawyers of the country here to assist in the criminal prosecution of Wells.

The shooting of Shirley by Wells was the outcome of trouble over the employment of labor on a building Wells was erecting. According to the story sent out from Roswell, the union men employed on the building quit when non-union men were put to work. This tied up the work. Wells and Shirley asked Wells if he intended employing non-union labor. This led to a discussion which developed into a quarrel and in which Wells shot Shirley, the latter dying almost instantly. Practically every union man in Roswell walked in the funeral procession when Shirley was buried.

SERBIA HAS DISARMED.
St. Petersburg, March 20.—The Belgrade correspondent of the Bourse Gazette says in a dispatch that M. Milovanovich, foreign minister, told him today that Serbia had accepted the advice of the powers to disarm. Serbia considers the action of the powers to be a guarantee and she no longer has reason to fear an armed attack from any source.

GRAND JURY INDICTS TWO PRIZE FIGHTERS

True Bills Are Returned Against Walker and Kennedy, Who Fought Here in January.

Assistant United States Attorney Clark reported the completion of the work of the United States grand jury at 2:30 o'clock, and made a final report showing twenty-two witnesses examined, thirteen true bills and two no bills. While the jury was still being held together, it was noted that it is believed that the court will dismiss it this afternoon.
Among the most unexpected indictments returned by the United States grand jury were two against Bob Walker and Spike Kennedy, two prize fighters, charging them with taking part in a pugilistic contest for a purse of \$75. The fight took place before the Albuquerque Athletic association during the month of January. It will be remembered that Kennedy knocked Walker out after three rounds of very rough fighting.

Jose Corilla, of Cubero, was found guilty this morning after a trial by a jury, of selling liquor to Indians. The court deferred sentence.

Juan Montoya, indicted for selling liquor to Indians, pleaded guilty this morning and was sentenced to pay a fine of \$50. Another liquor selling case was occupying the attention of the court this afternoon.
On the territorial side of the court, Jake Fisher, the young man who assaulted Joseph Barnett one night last summer on his doorstep, pleaded guilty this afternoon and was sentenced to a year and a half in the penitentiary. The aged father of Fisher came here from the east to help his son, but the assistance came too late. Fisher struck Barnett with a piece of gas pipe and might have killed him.

THREE WORKMEN KILLED.

Barrow-in-Furness, England, Mar. 20.—The gangway connecting the battleship Van Guard with the wharf at Vickers Sons Maxims yard collapsed today. Fifty workmen were precipitated to the dock. Three were killed and forty injured.

WON'T TAKE THE POSITION.
Nebraska City, Neb., March 20.—A telegram from Washington says Judge William Hayward, who was tendered the position of first assistant postmaster general, has declined the place and will remain as secretary of the Republican national committee.